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PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE


TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	09/921,290	
	Filing Date	August 3, 2001	
	First Named Inventor	Goldenberg et al.	
	Group Art Unit	1642	
	Examiner Name	Alana M. HARRIS	
Total Number of Pages in This Submission		Attorney Docket Number	40923-0079 US2 (18733-1012)

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): POST CARD PTO SB 08 AND REFERENCES
Remarks		
Customer No. 26633		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Paul M. Booth Reg. No. 40,244
Signature	<i>Marvin Motra</i> 36,614
Date	November 30, 2004

CERTIFICATE OF MAILING			
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date: <input type="text"/>			
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 <h2 style="margin: 0;">FEES TRANSMITTAL</h2> <h3 style="margin: 0;">for FY 2005</h3> <p style="margin: 0; font-size: small;">Effective 10/01/2004. Patent fees are subject to annual revision.</p>		Complete if Known	
		Application Number	09/921,290
		Filing Date	August 3, 2001
		First Named Inventor	Goldenberg et al.
		Examiner Name	Alana M. HARRIS
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		Art Unit	1642
		Attorney Docket No.	40923-0079 US 2 (18733-1012)
TOTAL AMOUNT OF PAYMENT (\$ 180)			

METHOD OF PAYMENT (check one) <input checked="" type="checkbox"/> Check <input type="checkbox"/> Credit card <input type="checkbox"/> Money Order <input type="checkbox"/> Other <input type="checkbox"/> None <input type="checkbox"/> Deposit Account Deposit Account Number: 08-1641 (Docket No. 40923-0079 US2) Deposit Account Name: Heller Ehrman White & McAuliffe LLP The Commissioner is authorized to: (check all that apply) <input type="checkbox"/> Charge fee(s) indicated below <input checked="" type="checkbox"/> Credit any overpayments <input type="checkbox"/> Charge any additional fee(s) during the pendency of this application <input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.	FEE CALCULATION (continued) 3. ADDITIONAL FEES <table border="1" style="width: 100%; border-collapse: collapse; font-size: x-small;"> <thead> <tr> <th>Large Fee Code</th> <th>Entity Fee (\$)</th> <th>Small Fee Code</th> <th>Entity Fee (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr><td>1051</td><td>130</td><td>2051</td><td>65</td><td>Surcharge - late filing fee or oath</td><td></td></tr> <tr><td>1052</td><td>50</td><td>2052</td><td>25</td><td>Surcharge - late provisional filing fee or cover sheet</td><td></td></tr> <tr><td>1053</td><td>130</td><td>1053</td><td>130</td><td>Non-English specification</td><td></td></tr> <tr><td>1812</td><td>2,520</td><td>1812</td><td>2,520</td><td>For filing a request for <i>ex parte</i> reexamination</td><td></td></tr> <tr><td>1804</td><td>920*</td><td>1804</td><td>920*</td><td>Requesting publication of SIR prior to Examiner action</td><td></td></tr> <tr><td>1805</td><td>1,840*</td><td>1805</td><td>1,840*</td><td>Requesting publication of SIR after Examiner action</td><td></td></tr> <tr><td>1251</td><td>110</td><td>2251</td><td>55</td><td>Extension for reply within first month</td><td></td></tr> <tr><td>1252</td><td>430</td><td>2252</td><td>215</td><td>Extension for reply within second month</td><td></td></tr> <tr><td>1253</td><td>980</td><td>2253</td><td>490</td><td>Extension for reply within third month</td><td></td></tr> <tr><td>1254</td><td>1,530</td><td>2254</td><td>765</td><td>Extension for reply within fourth month</td><td></td></tr> <tr><td>1255</td><td>2,080</td><td>2255</td><td>1,040</td><td>Extension for reply within fifth month</td><td></td></tr> <tr><td>1401</td><td>340</td><td>2401</td><td>170</td><td>Notice of Appeal</td><td></td></tr> <tr><td>1402</td><td>340</td><td>2402</td><td>170</td><td>Filing a brief in support of an appeal</td><td></td></tr> <tr><td>1403</td><td>300</td><td>2403</td><td>150</td><td>Request for oral hearing</td><td></td></tr> <tr><td>1451</td><td>1,510</td><td>1451</td><td>1,510</td><td>Petition to institute a public use proceeding</td><td></td></tr> <tr><td>1452</td><td>110</td><td>2452</td><td>55</td><td>Petition to revive - unavoidable</td><td></td></tr> <tr><td>1453</td><td>1,370</td><td>2453</td><td>685</td><td>Petition to revive - unintentional</td><td></td></tr> <tr><td>1501</td><td>1,370</td><td>2501</td><td>685</td><td>Utility issue fee (or reissue)</td><td></td></tr> <tr><td>1502</td><td>490</td><td>2502</td><td>245</td><td>Design issue fee</td><td></td></tr> <tr><td>1503</td><td>660</td><td>2503</td><td>330</td><td>Plant issue fee</td><td></td></tr> <tr><td>1460</td><td>130</td><td>1460</td><td>130</td><td>Petitions to the Commissioner</td><td></td></tr> <tr><td>1807</td><td>50</td><td>1807</td><td>50</td><td>Processing fee under 37 CFR 1.17(q)</td><td></td></tr> <tr><td>1806</td><td>180</td><td>1806</td><td>180</td><td>Submission of Information Disclosure Stmt</td><td>180</td></tr> <tr><td>8021</td><td>40</td><td>8021</td><td>40</td><td>Recording each patent assignment per property (times number of properties)</td><td></td></tr> <tr><td>1809</td><td>790</td><td>2809</td><td>395</td><td>Filing a submission after final rejection (37 CFR 1.129(a))</td><td></td></tr> <tr><td>1810</td><td>790</td><td>2810</td><td>395</td><td>For each additional invention to be examined (37 CFR 1.129(b))</td><td></td></tr> <tr><td>1801</td><td>790</td><td>2801</td><td>395</td><td>Request for Continued Examination (RCE)</td><td></td></tr> <tr><td>1802</td><td>900</td><td>1802</td><td>900</td><td>Request for expedited examination of a design application</td><td></td></tr> </tbody> </table>	Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid	1051	130	2051	65	Surcharge - late filing fee or oath		1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet		1053	130	1053	130	Non-English specification		1812	2,520	1812	2,520	For filing a request for <i>ex parte</i> reexamination		1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action		1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action		1251	110	2251	55	Extension for reply within first month		1252	430	2252	215	Extension for reply within second month		1253	980	2253	490	Extension for reply within third month		1254	1,530	2254	765	Extension for reply within fourth month		1255	2,080	2255	1,040	Extension for reply within fifth month		1401	340	2401	170	Notice of Appeal		1402	340	2402	170	Filing a brief in support of an appeal		1403	300	2403	150	Request for oral hearing		1451	1,510	1451	1,510	Petition to institute a public use proceeding		1452	110	2452	55	Petition to revive - unavoidable		1453	1,370	2453	685	Petition to revive - unintentional		1501	1,370	2501	685	Utility issue fee (or reissue)		1502	490	2502	245	Design issue fee		1503	660	2503	330	Plant issue fee		1460	130	1460	130	Petitions to the Commissioner		1807	50	1807	50	Processing fee under 37 CFR 1.17(q)		1806	180	1806	180	Submission of Information Disclosure Stmt	180	8021	40	8021	40	Recording each patent assignment per property (times number of properties)		1809	790	2809	395	Filing a submission after final rejection (37 CFR 1.129(a))		1810	790	2810	395	For each additional invention to be examined (37 CFR 1.129(b))		1801	790	2801	395	Request for Continued Examination (RCE)		1802	900	1802	900	Request for expedited examination of a design application	
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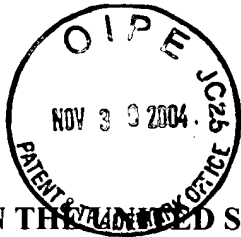
FEE CALCULATION					
1. BASIC FILING FEE					
Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
1001	790	2001	395	Utility filing fee	
1002	350	2002	175	Design filing fee	
1003	550	2003	275	Plant filing fee	
1004	790	2004	395	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	
SUBTOTAL (1)					(\$)
2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE					
		Extra Claims		Fee from below	Fee Paid
Total Claims		-20** =		x	
Independent Claims		-3** =		x	
Multiple Dependent					
Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	
1202	18	2202	9	Claims in excess of 20	
1201	88	2201	44	Independent claims in excess of 3	
1203	300	2203	150	Multiple dependent claim, if not paid	
1204	88	2204	44	**Reissue independent claims over original patent	
1205	18	2205	9	**Reissue claims in excess of 20 and over original patent	
SUBTOTAL (2)					(\$)
**or number previously paid, if greater; For Reissues, see above					

SUBMITTED BY		Complete (if applicable)	
Name (Print/Type)	Paul M. Booth	Registration No. (Attorney/Agent)	40,244
Signature	<i>Paul M. Booth</i>	Date	11/30/04
		Telephone	202-912-2000
		Customer No.	26633

* Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

180



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney Docket No.: 40923-0079 US2 (18733-1012)

Applicant: David M. GOLDENBERG *et al.*

Confirmation No.:

Appl. No.: 09/921,290

Group Art Unit: 1642

Filing Date: August 3, 2001

Examiner: Alana M. HARRIS

Title: IMMUNOTHERAPY OF MALIGNANT AND AUTOIMMUNE DISORDERS
IN DOMESTIC ANIMALS USING NAKED ANTIBODIES,
IMMUNOCONJUGATES AND FUSION PROTEINS

**INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR §1.56 and 37 CFR §1.97**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

12/01/2004 LWONDIM 00000051 09921250

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Sir:

180.00 JP

To comply with Applicants' duty of disclosure pursuant to 37 C.F.R. §1.56 and §1.97, Applicants submit herewith on attached Form PTO/SB/08A, a listing of documents known to Applicants. A copy of each of the listed documents is being submitted to comply with the provisions of 37 C.F.R. §§1.97-1.99.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or is considered to be material to patentability as defined in 37 C.F.R. §1.56(b). Applicants do not waive any rights to take any action that would be appropriate to antedate or otherwise remove as a competent reference any document that is determined to be a *prima facie* prior art reference against the claims of the present application.


This Information Disclosure Statement is being filed after the mailing date of the first Office Action. Therefore, Applicants enclose a check in the amount of \$180.00 required under

37 CFR § 1.17(p). The Commissioner is hereby authorized to charge any deficiency or to credit any overpayment to Deposit Account No. 08-1641.

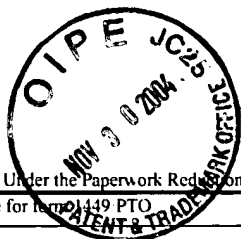
Applicants respectfully request that the listed documents be considered by the Examiner and made of record in the present application and that an initialed copy of Form PTO/SB/08A be returned in accordance with M.P.E.P. §609.

Respectfully submitted,

Date: November 29, 2004

By: 
Paul M. Booth
Attorney for Applicant
Registration No. 40,244

HELLER EHRMAN WHITE &
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PTO/SB/08A (08-03)

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)				Complete if Known	
				Application Number	09/921,290
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Sheet	1	of	8	Attorney Docket Number	40923-0079 US2 (18733-1012)

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number Number-Kind Code ²	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	1.	US-4,036,945	07-19-1977	Haber <i>et al.</i>	
	2.	US-4,331,647	05-25-1982	Goldenberg	
	3.	US-4,624,846	11-25-1986	Goldenberg	
	4.	US-4,824,659	04-25-1989	Hawthorne	
	5.	US-4,946,778	08-07-1990	Ladner <i>et al.</i>	
	6.	US-5,057,313	10-15-1991	Shih <i>et al.</i>	
	7.	US-5,120,525	06-09-1992	Goldenberg	
	8.	US-5,169,775	12-08-1992	Steplewski <i>et al.</i>	
	9.	US-5,443,953	08-22-1995	Hansen <i>et al.</i>	
	10.	US-5,484,892	01-16-1996	Tedder <i>et al.</i>	
	11.	US-5,686,072	11-11-1997	Uhr <i>et al.</i>	
	12.	US-5,789,544	08-04-1998	Miyamura <i>et al.</i>	

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Foreign Patent Document Country Code ³ Number ⁴ Kind Code ⁵ (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
	1.	EP 510 949 A2	10-28-1992	Pouletty		
	2.	WO 91/11465	08-08-1991	Goldenberg <i>et al.</i>		
	3.	WO 95/09917	04-13-1995	Morrison <i>et al.</i>		
	4.	WO 96/04925	02-22-1996	Leung <i>et al.</i>		
	5.	WO 98/42378	10-01-1998	Goldenberg		
	6.	WO 99/02567	01-21-1999	Ghetie <i>et al.</i>		

Examiner Signature		Date Considered	
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*Examiner: Initial reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to application. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language translation is attached. This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.



PTO/SB/08A (08-03)

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U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

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Substitute for form 1449/PTO				Complete if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)				Application Number	09/921,290
				Filing Date	August 3, 2001
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				Art Unit	1642
				Examiner Name	Alana M. HARRIS
Sheet	2	of	8	Attorney Docket Number	40923-0079 US2 (18733-1012)

NON-PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ⁶
	1.	Aasted <i>et al.</i> , <i>Vet. Immunol. Immunopathol.</i> , 19:31 (1988).	
	2.	Adang <i>et al.</i> , <i>Plant Molec. Biol.</i> , 21:1131 (1993).	
	3.	Appelbaum <i>et al.</i> , <i>Hematol. Oncol.</i> , 2:151 (1984).	
	4.	Ausubel <i>et al.</i> , <i>Current Protocols in Molecular Biology</i> , pp. 8.2.8-8.2.13, John Wiley & Sons, New York (1990).	
	5.	Ausubel <i>et al.</i> , <i>Short Protocols in Molecular Biology</i> , 3rd Ed., pp. 8-8 to 8-9 (John Wiley & Sons, Inc., 1995).	
	6.	Baines <i>et al.</i> , <i>Methods in Molecular Biology</i> , Vol. 10, pp. 79-104 (The Humana Press, 1992).	
	7.	Baldwin <i>et al.</i> , "Immunotoxins in Cancer Treatment", <i>Biological Approaches to Cancer Treatment: Biomodulation</i> , pp. 252-276, Mitchell (Ed.), McGraw-Hill (1993).	
	8.	Bambot <i>et al.</i> , <i>PCR Methods and Applications</i> , 2:266 (1993).	
	9.	Batra <i>et al.</i> , <i>Proc. Natl. Acad. Sci. USA</i> , 89:5867 (1992).	
	10.	Baum <i>et al.</i> , <i>Cancer</i> , 73 (Suppl. 3):896 (1994).	
	11.	Becker <i>et al.</i> , <i>Proc. Natl. Acad. Sci. USA</i> , 93:7826 (1996).	
	12.	Behr <i>et al.</i> , <i>Clin. Cancer Res. Suppl.</i> 5 (Suppl 10):3304s (1999).	
	13.	Bird <i>et al.</i> , <i>Science</i> , 242:423 (1988).	
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	21.	Chase, "Medical Applications of Radioisotopes", <i>Remington's Pharmaceutical Sciences</i> , pp. 624-652, 18th Ed., Gennaro <i>et al.</i> (eds.) (Mack Publishing Co. 1990).	
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INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)				Application Number	09/921,290
				Filing Date	August 3, 2001
				First Named Inventor	GOLDENBERG <i>et al.</i>
				Art Unit	1642
				Examiner Name	Alana M. HARRIS
Sheet	3	of	8	Attorney Docket Number	40923-0079 US2 (18733-1012)

NON-PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ⁶
	25.	Courtenay-Luck, "Genetic Manipulation of Monoclonal Antibodies", <i>Monoclonal Antibodies: Production, Engineering, and Clinical Application</i> , Cambridge University Press, pp. 166-179, Ritter <i>et al.</i> (eds.) (1995).	
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				Filing Date	August 3, 2001
				First Named Inventor	GOLDENBERG <i>et al.</i>
				Art Unit	1642
				Examiner Name	Alana M. HARRIS
Sheet	4	of	8	Attorney Docket Number	40923-0079 US2 (18733-1012)

NON-PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ⁶
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				Filing Date	August 3, 2001
				First Named Inventor	GOLDENBERG <i>et al.</i>
				Art Unit	1642
				Examiner Name	Alana M. HARRIS
Sheet	5	of	8	Attorney Docket Number	40923-0079 US2 (18733-1012)

NON-PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ⁶
	75.	Li <i>et al.</i> , <i>Cell. Immunol.</i> , 118:85 (1989).	
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	100.	Orlandi <i>et al.</i> , <i>Proc. Natl. Acad. Sci. USA</i> , 86:3833 (1989).	

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				Filing Date	August 3, 2001
				First Named Inventor	GOLDENBERG <i>et al.</i>
				Art Unit	1642
				Examiner Name	Alana M. HARRIS
Sheet	6	of	8	Attorney Docket Number	40923-0079 US2 (18733-1012)

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	101.	Oseroff <i>et al.</i> , <i>Proc. Natl. Acad. Sci USA</i> , 83:8744 (1986).	
	102.	Oseroff <i>et al.</i> , <i>Photochem. Photobiol.</i> , 46:83 (1987).	
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	124.	Shih <i>et al.</i> , <i>Int. J. Cancer</i> , 41:832 (1988).	

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				First Named Inventor	GOLDENBERG <i>et al.</i>
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				Examiner Name	Alana M. HARRIS
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	125.	Shih <i>et al.</i> , <i>Int. J. Cancer</i> , 46:1101 (1990).	
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INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)				Application Number	09/921,290
				Filing Date	August 3, 2001
				First Named Inventor	GOLDENBERG <i>et al.</i>
				Art Unit	1642
				Examiner Name	Alana M. HARRIS
Sheet	8	of	8	Attorney Docket Number	40923-0079 US2 (18733-1012)

NON-PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ⁶
	149.	Wilson <i>et al.</i> , <i>J. Exp. Med.</i> , 173:137 (1991).	
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